FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO.99 OF 2007
IN
APPEAL FROM ORDER NO.64 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms A.P.Pandya i/b Mr J.J.Shah for the applicant.
Ms Geeta Jogalekar, for the respondent-BMC

CORAM : D.B.BHOSALE,J.
DATED : 22nd November, 2007

P.C.:

Heard learned counsel for the parties.

By this civil application, the applicant has prayed for an order of injunction retraining the respondent-corporation from demolishing and/or pulling down the suit compound wall. The appeal has already been admitted and on 20.3.2007 this court,while issuing rule on this application, has granted an order of status-quo. The order of status-quo is running since then in favour of the applicant. Learned counsel for the

applicant submits that the applicant will be satisfied if the order of status-quo is confirmed till the disposal of the appeal or the suit whichever is earlier. The order of status-quo accordingly stands confirmed till the disposal of the appeal from order no.64 of 2007 or the suit bearing L.C.Suit No.2488 of 2004 whichever is earlier. Pendency of the appeal from order shall not operate as stay of further proceedings in the suit and it is open for the trial court to dispose of the suit on merits.

The civil application is disposed of.

(D.B.BHOSALE,J.)